

REMARKS

As required by 37 C.F.R. 1.114, Applicant submits this amendment concurrently with a Request for Continued Examination in light of the Examiner's Advisory Action dated January 22, 2009. Claims 1, 9 and 15 are amended. New claims 25-26 are presented. Applicant respectfully requests reconsideration of this application.

Independent claim 1 is amended to recite at least one locating feature "having a notch, wherein the notch receives a portion of the retainer." None of the prior art cited by the Examiner teaches or suggests these features. The shoulder 44 of *Imoehl*, which the Examiner argues represents Applicant's locating feature, does not include a notch. Therefore, claims 1-9 and 20-25 are in condition for allowance.

Independent claim 13 requires that "the flared end abuts the annular collar of the fluid port." The Examiner refers to feature 64 of *Bartholomew* as an equivalent to Applicant's claimed flared end, and refers to feature 28 of *Bartholomew* as the equivalent of Applicant's claimed annular collar. The flange 64 of the female member 24 does not abut the quick connect 28 of the *Bartholomew* assembly. As depicted in Figure 1, a gap extends between the flange 64 and the quick connect 28. Accordingly, *Bartholomew* fails to disclose each feature of Applicant's claim 13. Therefore, claims 13-14 and 26 are neither anticipated nor made obvious by the prior art.

Independent claim 15 is amended to recite "forming a first notch in the fluid port and a second notch in the metal tube," and "flowing a material into the first notch and the second notch during the step of retaining the fluid port to the metal tube." The prior art cited by the Examiner fails to either disclose or suggest these features. Accordingly, claims 15-18 are neither anticipated nor made obvious.

New claims 25-26 recite additional features of the fluid connection assemblies of claim 1 and claim 13. These additional features are likewise neither shown nor suggested by the prior art.

Applicant respectfully submits that all claims are in condition for allowance.

Applicant believes that additional fees in the amount of \$104 are necessary for the inclusion of two additional claims in excess of twenty. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

Todd W. Barrett
Registration No. 58,138
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: January 29, 2009

N:\Clients\FORMRITE\IP00315\PATENT\RCE Amendment 1-29-08.doc